

**ADJOURNMENT**

On motion of Senator Brooks the Senate at 11:50 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

**FOURTEENTH DAY**  
(Wednesday, February 4, 1981)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Blake, Brooks, Brown, Caperton, Doggett, Farabee, Glasgow, Harris, Howard, Jones, Kothmann, Leedom, Mauzy, McKnight, Meier, Mengden, Ogg, Parker, Richards, Santiesteban, Sarpalius, Short, Snclson, Traeger, Travis, Truan, Vale, Williams, Wilson.

Absent-excused: Andujar.

A quorum was announced present.

The Reverend Dr. Gerald Mann, Senate Chaplain, offered the invocation as follows:

Our Father, today let someone hear us use Your name in some way besides vain. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**LEAVE OF ABSENCE**

Senator Andujar was granted leave of absence for today on account of illness on motion of Senator Meier.

**REPORTS OF STANDING COMMITTEES**

Senator Mauzy submitted the following report for the Committee on Jurisprudence:

**S.B. 211**  
**S.B. 162**  
**C.S.S.B. 160** (Read first time)

Senator Traeger submitted the following report for the Committee on Intergovernmental Relations:

**S.B. 138**  
**S.B. 227**

Senator Blake submitted the following report for the Committee on Administration:

H.C.R. 15 (Amended)  
S.R. 148  
S.C.R. 2  
C.S.S.R. 98 (Read first time)

Senator Snelson submitted the following report for the Committee on Education:

S.B. 225 (Amended)  
S.B. 28  
S.B. 273  
S.B. 110

Senator McKnight submitted the following report for the Subcommittee on Nominations:

TO THE SENATE OF THE SIXTY-SEVENTH LEGISLATURE, REGULAR SESSION:

We, your Subcommittee on Nominations, to which were referred the following appointments, have had same under consideration, and beg to report them back to the Senate for final consideration.

To be Members of the BOARD OF REGENTS - THE UNIVERSITY OF HOUSTON: Mack H. Hannah, Harris County; Charles B. Marino, Harris County.

To be Members of the BOARD OF DIRECTORS - LOWER COLORADO RIVER AUTHORITY: William Thomas Archer, Jr., Travis County; John W. Jones, McCulloch County; John McAllen Scanlan, Travis County; Merritt Schumann, Comal County.

To be Members of the TEXAS COSMETOLOGY COMMISSION: Larry Lee Steinmann, Travis County; Miss Evelyn Hunter, Dallas County.

To be Members of the FINANCE COMMISSION OF TEXAS: V. F. Neuhaus, Hidalgo County.

To be Members of the BOARD OF REGENTS - TEXAS A & M UNIVERSITY: Harvey Roberts "Bum" Bright, Dallas County; William A. McKenzie, Dallas County; Joe C. Richardson, Jr., Randall County.

To be STATE COMMISSIONER OF EDUCATION (Appointment made by Texas Education Agency): Alton O. Bowen, Travis County.

To be Members of the BOARD OF DIRECTORS - STATE BAR OF TEXAS (Appointments made by Supreme Court): William R. Cox, Harris County; Elbert E. Hall, Taylor County; C. Lee McMillan, Nueces County; Dr. Janice C. May, Travis County; Lynn Milam, Jefferson County; Bill D. Thornton, Hidalgo County; Allen Washington, Harris County.

To be Members of the ADVISORY COUNCIL FOR TECHNICAL-VOCATIONAL EDUCATION IN TEXAS (Appointments made by Texas

Education Agency): Ms. Lupe Anguiano, Bexar County; Noe B. Calvillo, Hidalgo County; E. W. Collins, Jefferson County; Dr. Janie West Cotton, Harris County; James C. Currey, Dallas County; Clemente Garcia, Nueces County; Dr. Robert D. Hunter, Taylor County; T. R. Jackson, Harris County; Dr. Jacinto Juarez, Webb County; Dean H. E. McCallick, Harris County; Cletus G. Michel, El Paso County; Dr. Lane Murray, Walker County; Mrs. Edith Floyd Patterson, Harris County; S. Don Rogers, Travis County; Mrs. Jessie Lee Sharpley, Lubbock County; Mrs. John T. (Annyelce) Smith, Kleberg County; Mrs. Robert Sweet, Bexar County; Jon P. Underwood, Travis County.

To be a Member of the BOARD OF PARDONS AND PAROLES (Appointment made by Supreme Court of Texas): Mrs. Connie L. Jackson, Dallas County.

To be a Member of the HOSPITAL ADVISORY COUNCIL: Dr. James A. Hallmark, Tarrant County.

To be a Member of the AIRCRAFT POOLING BOARD: Douglas Owen Brown, Dallas County.

To be a Member of the STATE BOARD OF VOCATIONAL NURSE EXAMINERS: Ben M. McKibbens, Cameron County.

To be a Member of the FLEET ADMIRAL CHESTER W. NIMITZ MEMORIAL NAVAL MUSEUM COMMISSION: Mrs. Nancy B. Negley, Bexar County.

To be a Member of the TEXAS 1986 SESQUICENTENNIAL COMMISSION: Mrs. Omar Harvey, Dallas County.

To be a Member of the STATE PENSION REVIEW BOARD: Everett L. Anschutz, Hays County.

To be ADJUTANT GENERAL OF TEXAS: Major General Willie L. Scott, Travis County.

To be ASSISTANT ADJUTANT GENERAL FOR AIR: Brig. Gen. Belisario D. J. Flores, Bexar County.

To be ASSISTANT ADJUTANT GENERAL FOR ARMY: Brig. Gen. Willard D. Hill, Jr., Travis County.

To be Members of the TEXAS BOARD OF IRRIGATORS: Hugh Rushing, Jr., Travis County; Douglas Hawthorne, Dallas County.

To be a Member of the METRIC SYSTEM ADVISORY COUNCIL: Charles E. Haddock, Dallas/Kaufman Counties.

To be a Member of the BOARD FOR LEASE OF STATE PARK LANDS (Appointment made by Attorney General of Texas): Ms. Judy Sauer, Harris County.

#### CO-AUTHORS OF SENATE BILL 13

On motion of Senator Traeger and by unanimous consent, Senators Santiesteban, Vale, Parker, Mengden and Williams will be shown as Co-authors of S.B. 13.

**CO-AUTHOR OF SENATE BILL 173**

On motion of Senator Mengden and by unanimous consent, Senator Brown will be shown as Co-author of S.B. 173.

**CO-AUTHOR OF SENATE BILL 341**

On motion of Senator Caperton and by unanimous consent, Senator Santiesteban will be shown as Co-author of S.B. 341.

**SENATE BILLS AND RESOLUTIONS ON FIRST READING**

The following bills and resolutions were introduced, read first time and referred to the Committee indicated:

**S.B. 362** by Vale Natural Resources  
Relating to planning for, developing, and regulating the use of renewable energy; creating the Texas Renewable Energy Development Commission; providing for its powers and duties and for advisory councils; providing for licensing requirements and procedures; providing for a penalty and for injunctive relief; adding Article 4413 (48) to Title 70, Revised Civil Statutes of Texas, 1925, as amended.

**S.B. 363** by Vale Natural Resources  
Relating to the use of solar energy in government structures; amending the State Purchasing and General Services Act (Article 601b, Vernon's Texas Civil Statutes), by adding Sections 5.32, 5.33, and 5.34 and Subdivisions (3)-(7) to Section 1.02 and by amending Sections 5.29 and 5.30 and Subsection (a) of Section 5.27.

**S.B. 364** by Vale Finance  
Relating to exemption from taxation of value of property arising from solar and wind-powered energy devices; adding Section 11.27 to Chapter 11, Property Tax Code; and repealing Article 7150.1, Revised Civil Statutes, 1925.

**S.B. 365** by Vale State Affairs  
Relating to the manufacture of alcohol for fuel and other nonbeverage purposes and to permits and fees; amending Sections 38.05, 47.01, 47.02, and 47.05, Alcoholic Beverage Code.

**S.B. 366** by Traeger Jurisprudence  
Relating to the admission of public records kept by electronic data processing as evidence in the courts of this state.

**S.B. 367** by Caperton Finance  
Making supplemental appropriations to pay the additional cost of purchased utilities at certain institutions of higher education.

**S.B. 368** by Caperton, Truan Jurisprudence  
Relating to rehabilitation programs as a condition of probation for persons convicted of driving while intoxicated.

**S.B. 369** by Farabee State Affairs  
Relating to state regulation of corporations.

- S.B. 370** by Farabee State Affairs  
Relating to the administration and collection of sales, and use taxes.
- S.B. 371** by Farabee State Affairs  
Amending the general provisions relating to the administration and collection of taxes.
- S.B. 372** by Glasgow Jurisprudence  
Relating to the penalty for theft of equipment designed for use in exploration for or production of natural gas or crude petroleum oil.
- S.B. 373** by Short Natural Resources  
Relating to the use of pentobarbital to destroy animals.
- S.B. 374** by Santiesteban State Affairs  
Relating to the bond requirement of a permittee subject to the gross receipts tax on mixed beverages.
- S.B. 375** by Santiesteban State Affairs  
Relating to removal of an alcoholic beverage from the premises of a mixed beverage or private club registration permittee.
- S.B. 376** by Mengden Jurisprudence  
Relating to the disclosure of contract or deed provisions authorizing assessment of fees against residential property.
- S.B. 377** by Mengden State Affairs  
Relating to the authority of constables to enforce certain traffic regulations.
- S.B. 378** by Glasgow State Affairs  
Relating to voting by certain disabled persons.
- S.B. 379** by Glasgow State Affairs  
Relating to voting instructions for persons with hearing impairments.
- S.B. 380** by Brooks State Affairs  
Relating to payments to convicts on discharge or release from the penitentiary.
- S.B. 381** by Wilson, Harris Natural Resources  
Relating to regulation of the possession of wildlife resources under the Uniform Wildlife Regulatory Act; providing penalties.
- S.B. 382** by Brooks Human Resources  
Relating to the financing of manufactured home credit transactions.
- S.B. 383** by McKnight, Caperton Economic Development  
Relating to the membership of the Texas Real Estate Research Advisory Committee and the continuation and administration of the Texas Real Estate Research Center.
- S.B. 384** by Caperton Jurisprudence  
Relating to the requirement of notice for the defense or rebuttal of alibi; amending the Code of Criminal Procedure, 1965, as amended, by adding a new Article 27.111; and declaring an emergency.

- S.B. 385** by Travis Intergovernmental Relations  
Relating to the creation of nine judicial districts composed of Dallas County.
- S.B. 386** by Doggett State Affairs  
Relating to the information required in the reporting of political contributions.
- S.B. 387** by Doggett State Affairs  
Relating to application of the open meetings law.
- S.B. 388** by Doggett State Affairs  
Relating to tape recording of closed meetings by governmental bodies with statewide jurisdiction; providing a penalty.
- S.C.R. 25** by Mengden State Affairs  
Endorsing the efforts and aims of the Coalition for Peace Through Strength.
- S.C.R. 26** by Glasgow Human Resources  
Commending Congress for extending through 1982 the income tax deduction for expenses incurred in making publicly used buildings and transportation facilities accessible to disabled persons.
- S.C.R. 27** by Glasgow Human Resources  
Encouraging the Merit System Council to continue to develop and implement affirmative action programs for disabled persons.
- S.C.R. 28** by Glasgow Human Resources  
Encouraging the State Purchasing and General Services Commission to continue its efforts with regard to guaranteeing the architectural accessibility of state-owned and state-leased buildings to handicapped persons.
- S.C.R. 29** by Glasgow Human Resources  
Requesting the Texas Real Estate Commission to work with local boards of realtors and interested citizens to develop a universal symbol designating barrier-free housing in multiple listing publications.

#### HOUSE CONCURRENT RESOLUTION 35

The President laid before the Senate the following resolution:

**H.C.R. 35**, Commending The Honorable Richard C. Slack on his service in the Texas Legislature.

The resolution was read.

On motion of Senator Snelson and by unanimous consent, the resolution was considered immediately and was adopted.

#### SENATE BILL 143 WITH HOUSE AMENDMENTS

Senator Leedom called **S.B. 143** from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the House amendments before the Senate.

Committee Amendment No. 1

Substitute the following for S.B. 143:

A BILL TO BE ENTITLED  
AN ACT

relating to the election of the boards of trustees of certain independent school districts.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subsection (c), Section 6, Chapter 171, Acts of the 50th Legislature, Regular Session, 1947, as amended (Article 2783d, Vernon's Texas Civil Statutes), is amended to read as follows:

(c) Notwithstanding the provisions of Subsections (b) and (e) of this Section or the provisions of Chapter 447, Acts of the 58th Legislature, 1963, as amended (Article 29d, Vernon's Texas Civil Statutes), a school district subject to this Act shall hold the trustee election in 1981 on November 3, with trustee districts drawn no later than the 90th day before that date based on the 1980 census. A trustee elected in 1977 for a term expiring in 1981 or elected in 1979 or serving for the unexpired term of a trustee then elected shall serve until the trustees elected at the 1981 election take office. At the election held in 1981, and thereafter at the first election at which redistricting following a census is to be effective, all positions on the Board shall be filled. The district may not hold an election in 1982, and the members elected at the 1981 election shall draw lots so that three (3) serve for a term expiring in 1983, three (3) serve for a term expiring in 1984, and three (3) serve for a term expiring in 1985. The Board members elected thereafter at an election for which redistricting is effective shall draw lots so that three (3) members serve for a term of one (1) year, three (3) members serve for a term of two (2) years, and three (3) members serve for a term of three (3) years. A member who is elected both in the year before redistricting is effective and in the year in which redistricting is effective shall draw from lots that include only two-year and three-year terms. Except as provided by this section, three (3) trustees shall be elected annually for terms of three (3) years. All members of the Board shall serve until their successors have been elected and qualified.

SECTION 2. This Act has no effect unless it is immediately effective.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Floor Amendment No. 1

Amend S.B. 143 by striking all below the enacting clause and substituting the following:

SECTION 1. Subsection (c), Section 6, Chapter 171, Acts of the 50th Legislature, Regular Session, 1947, as amended (Article 2783d, Vernon's Texas Civil Statutes), is amended to read as follows:

(c) A school district subject to this Act ~~(may not hold a trustee election in 1981, but)~~ shall hold an election in 1982. A trustee elected in ~~(1977 or)~~ 1979 or 1981 or serving for the unexpired term of a trustee then elected shall serve until the trustees elected at the 1982 election take office. At the election held in 1982, and at the first election at which redistricting following a census is to be

effective, all positions on the Board shall be filled. The Board members elected at the 1982 election or at an election following redistricting shall draw lots so that three (3) members serve for a term of one (1) year, three (3) members serve for a term of two (2) years, and three (3) members serve for a term of three (3) years. A member who was elected in 1981 and 1982, or who was elected in the year before and in the year in which redistricting is effective, shall draw from lots that include only two (2) and three (3) year terms. ~~(Prior to the filing dead line for that election, the Board shall draw from lots containing the number of each district so that three (3) districts shall elect a trustee for a term of one(1) year, three (3) shall elect a trustee for a term of two(2) years, and three (3) shall elect a trustee for a term of three (3) years.)~~ Thereafter, three (3) trustees shall be elected annually for terms of three (3) years. All members of the Board shall serve until their successors have been elected and qualified.

SECTION 2. Subsection (c), Section 6, Chapter 171, Acts of the 50th Legislature, Regular Session, 1947, as amended (Article 2783d, Vernon's Texas Civil Statutes), is amended to read as follows:

(c) ~~Notwithstanding the provisions of Subsection (e) of this Section, a (A) school district subject to this Act shall (may not) hold the (a) trustee election in 1981 on November 3 (- but shall hold an election in 1982).~~ A trustee elected in 1977 for a term expiring in 1981 or elected in 1979 or serving for the unexpired term of a trustee then elected shall serve until the trustees elected at the 1981 ~~(1982)~~ election take office. At the election held in 1981 ~~(1982)~~, and, thereafter, at the first election at which redistricting following a census is to be effective, all positions on the Board shall be filled. The District may not hold an election in 1982, and the members elected at the 1981 election shall draw lots so that three (3) serve for terms expiring in 1983, three (3) serve for terms expiring in 1984, and three (3) serve for terms expiring in 1985. Thereafter, the Board members elected at an election for which redistricting is effective shall draw lots so that three (3) members serve for a term of one(1) year, three (3) members serve for a term of two (2) years, and three (3) members serve for a term of three (3) years. A member who is elected both in the year before redistricting is effective and in the year in which redistricting is effective shall draw from lots that include only two (2) and three (3) year terms. ~~(Prior to the filing deadline for that election, the Board shall draw from lots containing the number of each district so that three (3) districts shall elect a trustee for a term of one (1) year, three (3) shall elect a trustee for a term of two (2) years, and three (3) shall elect a trustee for a term of three (3) years.)~~ Thereafter, three (3) trustees shall be elected annually for terms of three (3) years. All members of the Board shall serve until their successors have been elected and qualified.

Section 3. If the United States Department of Justice approves this Act under the Voting Rights Act of 1965 (42 U.S.C. Sec. 1971 et seq.) before March 3, 1981, Section 2 of this Act has no effect. If the department approves this Act on or after March 3, 1981, Section 1 of this Act has no effect.

SECTION 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The amendments were read.

Senator Leedom moved that the Senate do not concur in the House amendments, but that a Conference Committee be appointed to adjust the differences between the two Houses on the bill.



The motion prevailed.

The President asked if there were any motions to instruct the Conference Committee on **S.B. 143** before appointment.

There were no motions offered.

The President announced the appointment of the following conferees on the part of the Senate on the bill: Senators Leedom, Chairman; Harris, Travis, Mauzy, Snelson.

#### NOTICE OF CONSIDERATION OF NOMINATIONS

Senator McKnight gave notice that he would tomorrow submit to the Senate for consideration nominations to agencies, boards and commissions of the State at the conclusion of Morning Call.

#### SENATE RULE 103 SUSPENDED

On motion of Senator Blake and by unanimous consent, Senate Rule 103 was suspended in order that the Committee on Administration might consider **S.R. 93** today.

#### SENATE BILL 151 ON SECOND READING

On motion of Senator Farabee and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 151**, Relating to the financing of farm-to-market and lateral roads. (Submitted by Governor as an emergency)

The bill was read second time.

Senator Farabee offered the following committee amendment to the bill:

Amend **S.B. 151**, Section 9, (3)(c)(i) by striking all of said sub-section and substituting in lieu thereof the following:

~~“(i) ((ii) for the fiscal year beginning September 1, 1951, and each fiscal year thereafter,)) place to the credit of the fund known as the county and road district highway fund all such remaining tax receipts until a total ((the)) sum of \$7,300,000 has been credited to said fund each fiscal year ((, that amount to be provided on the basis of equal monthly payments, which sum shall be allocated by the Board of County and District Road Indebtedness to all of the counties of Texas not later than September 15th of each year, through the lateral road account)); and”~~

and by adding the word “thereafter” at the beginning of Section 9(3)(c)(ii).

The committee amendment was read and was adopted.

Senator Farabee offered the following amendment to the bill:

Amend **S.B. 151** by inserting the following as a new Section 10 and renumbering the present Section 10 as Section 11.

“SECTION 10. APPROPRIATION. There is hereby appropriated to the State Treasurer for distribution to the counties pursuant to the provisions of this Act in the fiscal year beginning on September 1, 1981 from the county and road district highway fund in the state treasury all monies credited to such fund during the fiscal years which began September 1, 1979 and September 1, 1980, together with all accumulated depository interest thereon, plus the sum of \$7,300,000.00, which shall be credited to said fund according to the provisions of Section 9 of this Act.”

The amendment was read and was adopted.

On motion of Senator Farabee and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### **SENATE BILL 151 ON THIRD READING**

Senator Farabee moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 151 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Andujar.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent-excused: Andujar.

#### **COMMITTEE SUBSTITUTE SENATE BILL 209 ON SECOND READING**

On motion of Senator Snelson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 209**, Relating to an increase in benefits for certain annuitants of the Teacher Retirement System of Texas.

The bill was read second time and was passed to engrossment.

#### **COMMITTEE SUBSTITUTE SENATE BILL 209 ON THIRD READING**

Senator Snelson moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 209** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Andujar.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent-excused: Andujar.

**COMMITTEE SUBSTITUTE SENATE BILL 58 ON SECOND READING**

On motion of Senator Doggett and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 58**, Relating to an increase in benefits for certain annuitants of the Employees Retirement System of Texas. (Submitted by Governor as an emergency)

The bill was read second time and was passed to engrossment.

**COMMITTEE SUBSTITUTE SENATE BILL 58 ON THIRD READING**

Senator Doggett moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 58** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Andujar.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent-excused: Andujar.

**SENATE BILL 103 ON SECOND READING**

On motion of Senator Jones and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 103**, Relating to supplemental appropriations to the Texas Board of Architectural Examiners. (Submitted by Governor as an emergency)

The bill was read second time and was passed to engrossment.

**SENATE BILL 103 ON THIRD READING**

Senator Jones moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 103** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Andujar.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent-excused: Andujar.

**SENATE BILL 235 ON SECOND READING**

On motion of Senator Wilson and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 235**, Relating to application of the nepotism law to confirmation of certain appointees.

The bill was read second time and was passed to engrossment.

**RECORD OF VOTE**

Senator Brown asked to be recorded as voting "Present-not voting" on the passage of the bill to engrossment.

**SENATE BILL 235 ON THIRD READING**

Senator Wilson moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 235** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 1, Present-not voting 1.

Yeas: Blake, Brooks, Caperton, Doggett, Farabee, Glasgow, Harris, Howard, Jones, Kothmann, Leedom, Mauzy, McKnight, Meier, Mengden, Ogg, Parker, Richards, Santiesteban, Sarpalius, Short, Snelson, Traeger, Travis, Truan, Williams, Wilson.

Nays: Vale.

Present-not voting: Brown.

Absent-excused: Andujar.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 1, Present-not voting 1.

Yeas: Blake, Brooks, Caperton, Doggett, Farabee, Glasgow, Harris, Howard, Jones, Kothmann, Leedom, Mauzy, McKnight, Meier, Mengden, Ogg, Parker, Richards, Santiesteban, Sarpalius, Short, Snelson, Traeger, Travis, Truan, Williams, Wilson.

Nays: Vale.

Present-not voting: Brown.

Absent-excused: Andujar.

**SENATE BILL 71 ON SECOND READING**

On motion of Senator Blake and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 71**, Relating to the authority of the Texas Department of Mental Health and Mental Retardation to expend funds for supplemental residential services for the mentally retarded at locations in Texas other than on the grounds of the Rusk State Hospital. (Submitted by the Governor as an emergency)

The bill was read second time and was passed to engrossment.

**SENATE BILL 71 ON THIRD READING**

Senator Blake moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 71** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Andujar.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent-excused: Andujar.

**SENATE BILL 26 ON SECOND READING**

On motion of Senator Brooks and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 26**, Relating to exemptions to the Cosmetology Regulatory Act.

The bill was read second time and was passed to engrossment.

**SENATE BILL 26 ON THIRD READING**

Senator Brooks moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 26** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Andujar.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent-excused: Andujar.

**SENATE BILL 145 ON SECOND READING**

On motion of Senator Doggett and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 145**, Relating to discrimination because of age or disability.

The bill was read second time and was passed to engrossment.

**SENATE BILL 145 ON THIRD READING**

Senator Doggett moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 145** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Andujar.

The bill was read third time and was passed.

**SENATE BILL 152 ON SECOND READING**

On motion of Senator Farabee and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 152**, Relating to the confidentiality of records of clients served by the facilities of the Texas Department of Mental Health and Mental Retardation and by community centers for mental health and mental retardation services.

The bill was read second time and was passed to engrossment.

**SENATE BILL 152 ON THIRD READING**

Senator Farabee moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 152** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Andujar.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent-excused: Andujar.

**SENATE BILL 93 ON SECOND READING**

On motion of Senator Truan and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 93**, Relating to the purchase of certain types of insurance by State departments and agencies.

The bill was read second time and was passed to engrossment.

**SENATE BILL 93 ON THIRD READING**

Senator Truan moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 93** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Andujar.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent-excused: Andujar.

**SENATE BILL 94 ON SECOND READING**

On motion of Senator Truan and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 94**, Relating to the approval of numbers of and salaries of community center employees.

The bill was read second time and was passed to engrossment.

**SENATE BILL 51 ON SECOND READING**

On motion of Senator Harris and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 51**, Authorizing and making an appropriation to the Texas Real Estate Commission; and declaring an emergency. (Submitted by Governor as an emergency)

The bill was read second time and was passed to engrossment.

**SENATE BILL 51 ON THIRD READING**

Senator Harris moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 51** be placed on its third reading and final passage:

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Andujar.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent-excused: Andujar.

**MOTION TO PLACE SENATE BILL 210 ON SECOND READING**

Senator Traeger moved that Senate Rules 12 and 89 and Section 5 of Article III of the State Constitution be suspended and that **S.B. 210** be taken up for consideration at this time:

**S.B. 210**, Relating to the maximum rate of interest on extensions of credit to nonresident aliens and foreign corporations.

The motion was lost by the following vote: Yeas 23, Nays 6. (Not receiving four-fifths vote of Members of Senate)

Yeas: Blake, Brown, Caperton, Farabee, Glasgow, Harris, Jones, Kothmann, Leedom, McKnight, Meier, Mengden, Ogg, Parker, Richards, Santiesteban, Sarpalius, Short, Snelson, Traeger, Travis, Vale, Williams.

Nays: Brooks, Doggett, Howard, Mauzy, Truan, Wilson.

Absent-excused: Andujar.

**SENATE BILL 57 ON SECOND READING**

On motion of Senator Doggett and by unanimous consent, the regular order of business and Section 5 of Article III of the State Constitution was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 57**, Relating to outdoor training programs for deaf students.

The bill was read second time and was passed to engrossment.

**SENATE BILL 57 ON THIRD READING**

Senator Doggett moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 57** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent-excused: Andujar.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent-excused: Andujar.

**MEMORIAL RESOLUTION**

**S.R. 213** - By Wilson: Memorial resolution for Herndon Scott.

**WELCOME AND CONGRATULATORY RESOLUTIONS**

**S.R. 211** - By Williams: Extending congratulations to Dennis Shinn.

**S.R. 212** - By Wilson: Extending welcome to Dr. David H. Watson, "Capitol Physician" for today.